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August 15, 2014

To: State Administration and Veteran's Affairs Interim Legislative Committee
From: Dennis Parman, Deputy Superintendent, Office of Public Instruction
Re: LC0143 - Generally Revise Elections

Although the Office of Public Instruction (OPI) has participated in subcommittee work relative to LC0143 - Generally Revise Elections bill, we have had concerns about the bill draft in its present form as of the writing of this memorandum.

We understand for election officials and, on the surface, to an observer that 'alignment' of dates and other elements of election law appear to make sense on paper and procedurally for those few election officials that are responsible for all or most county elections. However, we believe election laws should serve the interests of those elected officials that are responsible for effectively governing the legal entities most impacted by such laws. In this case, our concern lies with the potential negative impact some of the proposals would have on the governance of local school districts led by locally elected, volunteer trustees. With the fact that 80% of Montana public school districts run their own school elections, it is our strong belief that any changes to election laws should serve the interests of these elected school officials first and best.

School elections primarily deal with two topics: 1) taxes and 2) representation of the electorate. Taxpayers should certainly have the opportunity to decide by their vote whether or not they want to support a ballot proposal that impacts their taxes. The process needs to work for the voter and the elected officials that govern the school districts. Eligible voters should also have a choice of who they want to represent them in the governance of their local public school system. Changes to election laws regarding either of these important purposes of schools elections are, in some ways, vastly different than electing other officials that serve in Montana. Consideration to effectively conducting these elections to serve the purposes of the public schools is paramount to any election law changes. In a manner unlike any other state or local governmental entity in Montana, tax related elections for public schools are not only critical to the operation of the local public schools, but equally critical to effectively provide for eligible voters to participate in the decision surrounding not only the tax implications of the ballot issue before them but the impact on their school system, community, and future of the children growing up in whatever community they are calling home.

That said, we believe that there are reasonable revisions to the existing language in the LC0143 that adequately serve all parties impacted by the possible revisions to election laws and we support these revisions and ask the Committee for their consideration of these revisions.

We appreciate the opportunity to provide our input into this process and thank all of the members of the State Administration and Veteran's Affairs Interim Legislative Committee for their service.

State Administration & Veterans' Affairs
August 15, 2014
Exhibit 21